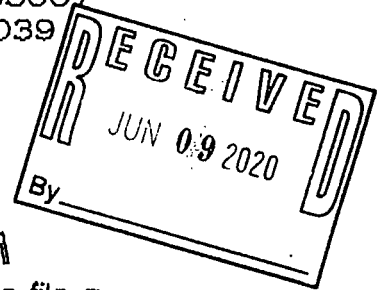


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007
PHONE (602) 364-1PET (1738) FAX (602) 364-1039
VETBOARD.AZ.GOV



COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: June 9, 2020 Case Number: 20-121

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: Daniel R. Moezzi, DVM
Premise Name: Blue Pearl Animal Emergency Pet Hospital
Premise Address: 3110 E. Indian School Rd.
City: Phoenix State: AZ Zip Code: 85016
Telephone: 602.995.3757 Fax: 602.589.6285

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Ms. Georgianne Perry
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Simba Perry
Breed/Species: Cat/Kitten
Age: 8 weeks Sex: Male Color: Grey Tabby
w/ Blue Eyes
w/ white fur
around nose & eyes

~~PATIENT INFORMATION (2):~~

~~Name: _____~~
~~Breed/Species: _____~~
~~Age: _____ Sex: _____ Color: _____~~

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

Dr. Daniel R. Moezzi, DVM - ph: 602.995.3757
+ Dr. Aaron T. Franko, DVM - Fax: 602.589.6285
at Blue Pearl Animal Hospital
3110 E. Indian School Rd.
(5) Phoenix, AZ 85016

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

1) Ms. Georgianne Perry - Landline: 602.995.3757
at [Redacted Address]
2) Mr. Steven R. Vershure - cell: [Redacted]
at [Redacted Address]
3) Ms. Suzanne Harrington - cell: [Redacted]
at [Redacted Address]

Attestation of Person Requesting Investigation

Leah Bryans

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

*Signature: Suzanne Harrington Alor

Date: 6-3-80

4) Mr. Chuck Sailant - [Redacted] at [Redacted]
5) Ms. Olga Vanna - [Redacted] at [Redacted]
6) Paula Palmer

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

I (Georgianne Perry) adopted Simba (on 8-week old kitten) at my home after I adopted him. When I first had him here at my home after I adopted him, he was in pretty good physical shape, even though he was very ~~fat~~ thin. He was eating & drinking, & he was very active & happy. He was a very sweet kitten & I will miss him every day of my life. Unfortunately, about a week before he died, he had stopped eating & he had become extremely lethargic. Steve, Suzanne (my mom's caregiver), + Chuck Olga (my mom) + I were all here at my home & witnessed the rapid decline in Simba's health. before, during, & after I left Simba at Blue Pearl Emergency Animal Hospital. Before my next-door neighbor, Chuck Saulant, + I drove Simba to this veterinarian clinic in Phoenix, AZ, it was apparent to me that Simba had mucus drooling out his nose & he was having trouble breathing. I left him there for treatment twice. - once on May 19, 2020 + once on May 21, 2020. Chuck Saulant (my next-door neighbor) + I drove him + picked him up on May 19, 2020 from this clinic. - the same day. When we got him home, he was very lethargic & he wasn't eating. He was sleeping all the time. So on May 21, 2020 - my mom's personal care taker, Suzanne Harrington + I drove him back to the clinic. I left Simba there for less than 12 hours. When Steve Vershure + I picked him up, he was almost dead. The clinic gave me medications for his eyes + for his upper respiratory at this time. I never left him there ~~there~~ overnight. If I had not left him there, he would not have died. I left messages of ~~this~~ this clinic's my calls.

Blue Pearl Phoenix
3110 E Indian School Rd
Phoenix, AZ 85016
(602) 995-3757

Investigative Division
Arizona State Veterinary Medical
Examining Board
1740 West Adams Street, Suite 4600
Phoenix, AZ 85007

Attention: Tracy Riendeau, CVT

20-121, In Re: Daniel Moezzi, DVM

Dear Ms. Riendeau:

I received your June 10th, 2020 correspondence concerning the complaint voiced by Georgianne Perry about our care of her 8 week old Domestic Shorthair, "Simba". Enclosed please find all of the medical records generated by our hospital concerning the care of Simba. With respect to your request for a response regarding my position on this case, please be advised as follows.

On May 21st, 2020 at 1:58 pm, Simba was triaged by a veterinary nurse who obtained vital parameters and deemed him stable. He was kept in the treatment area during this time for observation. Upon my examination, I found Simba BAR, with ocular and nasal discharge. I contacted Ms. Perry and discussed Simba's history, examination findings and medical recommendations. Simba had been previously evaluated at Blue Pearl Phoenix on May 19th, 2020 for diarrhea and prescribed fenbendazole. Owner reported his diarrhea had improved. She expressed concern about his upper respiratory infection and decreased appetite. I discussed his URI may be the cause of his decreased appetite, and recommended supportive medication including ocular and systemic antibiotics. I also recommended an upper respiratory disease PCR panel to determine the exact organism(s) causing his symptoms, so we can use the appropriate medication. Ms. Perry declined this diagnostic test citing cost concerns. I discussed that upper respiratory infections can progress and cause kittens to develop secondary bacterial pneumonias. These can become life-threatening conditions, and if Simba appears to be declining at home, hospitalization may be recommended and/or indicated as previously recommended on May 19th, 2020 and as is noted in the medical record. Additionally, I warned Ms. Perry that some kittens fail to thrive despite our best nursing and medical care. Ms. Perry appeared to have understood these recommendations, possible complications and thanked me for the help. Simba was discharged by our veterinary nurse that afternoon.

From a medical standpoint, Ms. Perry's complaints appears to focus on the rapid decline of Simba at home. Upon discharge from Blue Pearl on May 21st, 2020, I was not made aware of any communications or noted any documented communication regarding Simba's decline. There is no documentation that Ms. Perry had reached out that Simba was declining at home. Additionally, it was verbally stated over the phone and in-person during discharge, that if Simba appeared to be declining, he should be brought back for immediate treatment, as we are a 24 hour emergency facility. The next available communication from Ms. Perry was on May 22nd,

2020 where she communicated to one of our veterinary nurses that Simba had passed away overnight.

Obviously, I was very sorry to see Ms. Perry lose her Simba. I am well aware of the strong emotional bonds that develop between owners and their companion animals. This owner has my sincere condolences.

However, I take this matter seriously, have re-reviewed all of the enclosed medical records, and have discussed the issues contemplated by this case with colleagues. It is my firm opinion that all of the care provided to Simba on the May 19th, 2020 and May 21st, 2020 complied with the standard of care. Still, again, Ms. Perry has my sympathies.

Respectfully,

A handwritten signature in black ink, appearing to read "Dan Moezzi", with a stylized flourish at the end.

Daniel Moezzi, DVM



ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS STREET, STE. 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1-PET (1738) ♦ FAX (602) 364-1039

VETBOARD.AZ.GOV

INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM
Carolyn Ratajack
Jarrod Butler, DVM
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT - Investigations
Marc Harris – Assistant Attorney General

RE: Case: 20-121

Complainant(s): Georgianne Perry

Respondent(s): Daniel Moezzi, D.V.M. (License: 6889)

SUMMARY:

Complaint Received at Board Office: 6/9/20

Committee Discussion: 11/3/20

Board IIR: 12/9/20

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018

(Lime Green); Rules as Revised September 2013 (Yellow).

On May 21, 2020, "Simba," an 8 week-old male kitten was presented to Respondent for a possible upper respiratory infection. The cat was examined; diagnostics and treatments were recommended. Complainant declined diagnostics and the cat was discharged with Tobramycin and Clavamox.

The kitten passed away overnight.

Complainant was noticed and did not appear.

Respondent was noticed and was available. Attorney David Stoll was present.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Georgianne Perry
- Respondent(s) narrative/medical record: Daniel Moezzi, DVM

PROPOSED 'FINDINGS of FACT':

1. On May 21, 2020, the kitten was presented to Respondent due to ocular and nasal discharge. Upon exam, the cat had a weight = 0.36kg, a temperature = 98.2 degrees, a heart rate = 130bpm and respiration rate = 55rpm; ocular and nasal discharge present, lung sounds were clear at that time. Complainant reported that the cat's diarrhea had improved and she was now concerned with the cat's upper respiratory infection and decreased appetite.
2. Respondent explained that upper respiratory infections could be the cause of the cat's decreased appetite and recommended supportive medication including ocular and systemic antibiotics. He also recommended an upper respiratory disease PCR panel to determine the exact organism causing the symptoms to be able to use the appropriate medication. Complainant declined due to financial constraints.
3. Respondent warned Complainant that upper respiratory infections can progress and cause kittens to develop secondary bacterial pneumonias. These can become life-threatening conditions, and if the kitten declines at home, hospitalization may be recommended. The cat was discharged with Tobramycin and Clavamox; recommendations were to continue the previously dispensed Panacur and follow up with the regular DVM in 24 hours.
4. The following day, Respondent stated that Complainant reported the kitten had passed away overnight.

COMMITTEE DISCUSSION:

Based on the information provided, the Committee did not feel there was a violation of the Veterinary Practice Act.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the *Veterinary Practice Act* occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 5 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.